

AGENDA MEMO

CITY COUNCIL MEETING DATE: OCTOBER 4, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ABEYANCE - SDR-15030 - APPLICANT/OWNER: 3100 MEADE, LLC

THIS ITEM WAS HELD IN ABEYANCE FROM THE SEPTEMBER 20, 2006 CITY COUNCIL MEETING AT THE REQUEST OF THE APPLICANT.

**** CONDITIONS ****

Staff recommends DENIAL. The Planning Commission (4-2/sd/se vote) recommends APPROVAL, subject to:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-15031) shall be required.
2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 07/11/06, except as amended by conditions herein.
4. No person shall be permitted to reside in the apartment that was part of the mini-warehouse use.
5. A Waiver from perimeter landscape buffer requirements is hereby approved, to allow a landscape buffer width of four feet along the northern boundary of the site where eight feet is the minimum required and to provide no landscape buffer on the other sides of the development.
6. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a business license. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications. The technical landscape plan shall depict a total of 32 trees located on the property, minimum 24-inch box size, and a four-foot landscape buffer along the northern boundary of the site. The landscape buffer shall contain a minimum of 128, five gallon shrubs.

7. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.
8. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
9. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
10. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize downward-directed lights with full cut-off luminaries. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
11. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
12. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.
13. Hours of operation shall be limited 6 a.m. to 6 p.m., seven days a week.
14. 24-inch Mondale pines shall be planted to match existing 20 feet on center on north property line.
15. The north-facing doors shall remain closed during all business hours.
16. The lower four feet of the eight foot wall shall be solid grout, 12 inch CMU, with a vehicle barrier.
17. A drainage study or other information acceptable to the Flood Control Section of the Department of Public Works shall be approved prior to the issuance of any permits for this site.
18. Provide proof of a joint access agreement between this site and the parcel to the south providing permanent irrevocable access to Mead Avenue.
19. The roll-up doors shall be soundproofed with standard insulation materials.

Public Works

20. The proposed 8-foot CMU wall shall not be constructed adjacent to the Richfield Avenue termination and a crash gate acceptable to the Department of Fire Services shall be installed concurrent with construction of the CMU wall.

**** STAFF REPORT ****

APPLICATION REQUEST

This is a request for a Site Development Plan Review for two existing storage buildings and a waiver of perimeter landscape buffer width requirements on 0.80 acres approximately 300 feet north of Meade Avenue and 980 feet west of Rancho Drive.

EXECUTIVE SUMMARY

A Site Development Plan Review is required as the applicant is changing the use on the site. The use is changing from mini-warehouse to light manufacturing. The exterior of the buildings would remain the same. Changes to the landscaping will be required. The business is currently operating as proposed without a business license for such activity. The only active license is for an administrative facility for order taking and processing. This matter has been turned over to Business Licensing and Code Enforcement for appropriate action. Denial of this application is recommended as the use is deemed too intense for this location given the adjacent use is single-family residential. Conditions of approval have been added regarding landscaping deficiencies and the residential unit that was part of the mini-warehouse.

BACKGROUND INFORMATION

A) *Related Actions*

- | | |
|----------|---|
| 01/26/89 | A Variance (V-149-88) was approved to allow a proposed building 13 feet from the rear property line where a 50-foot setback is the minimum required. An Extension of Time was approved on this Variance on 03/22/90. This Extension of Time expired on 01/26/91. |
| 04/19/89 | The City Council approved a Variance (V-16-89) to allow a mini-storage warehouse to be permitted over a drainage easement. An Extension of Time was granted for this Variance on 06/20/90 and again on 07/17/91. On 06/17/92 a third Extension of Time was approved while a Review of Condition to remove the landscaping on the site was denied. |
| 08/24/06 | The Planning Commission recommended approval of companion items ZON-15031 concurrently with this application. |
| 08/24/06 | The Planning Commission voted 4-2/sd/se to recommend APPROVAL (PC Agenda Item #43/ng). |

The site is currently being used for the light manufacturing use that the applicant is proposing. The applicant does not have a business license for this activity. The only active business license for this company, Champion Vinyl Products, is for an administrative facility for order taking and processing. A field check yielded that assembly and other similar type activities are in operation on the site. This matter has been turned over to Business Licensing and Code Enforcement for appropriate action.

B) Pre-Application Meeting

06/13/06 A pre-application meeting was held and elements of this submittal were discussed.

C) Neighborhood Meetings

A neighborhood meeting is not required for a Site Development Plan Review, nor was one held.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 0.80

B) Existing Land Use

Subject Property: Mini-warehouse
North: Single Family Residential
South: Offices
Storage
Shops
East: Church
West: Single Family Residential

C) Planned Land Use

Subject Property: LI/R (Light Industry/Research)
North: L (Low Density Residential)
South: LI/R (Light Industry/Research)
East: C (Commercial)
West: L (Low Density Residential)

D) Existing Zoning

Subject Property: R-1 (Single Family Residential) [Proposed C-M
(Commercial/Industrial)]
North: R-1 (Single Family Residential)
South: M (Industrial)
East: P-R (Professional Office and Parking)
West: R-1 (Single Family Residential)

E) General Plan Compliance

The subject property is designated as LI/R (Light Industry/Research) under the Southeast Sector Plan of the General Plan. The Light Industry/Research category permits low intensity industrial uses such as the proposed assembly of signs. The proposed use is in compliance with the General Plan; however, the proposed use is considered inappropriate for this location due to its proximity to single family residential development.

PROJECT DESCRIPTION

The applicant seeks to change the use of the subject property from mini-warehouse to light manufacturing. The exterior of the buildings would remain the same. Changes to the landscaping will be required. The use, which is actually currently operating on the site without the proper licenses, assembles plastic gazeboes and fences. The hours of operation are from 6 am to 6 pm.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

Pursuant to Title 19.08, the following Development Standards apply to the subject proposal:

Standards	Required C-M	Provided	Compliance
Min. Lot Width	100 Feet	57 Feet	N
Min. Setbacks			
• Front	10 Feet	Zero Feet	N
• Side	10 Feet	43 Feet	Y
• Corner	10 Feet	N/A	N/A
• Rear	20 Feet	30 Feet	Y

The subject property is deficient from front yard setback requirements. As this is an existing building and no modifications are proposed to the exterior of the structures no action is necessary at this time. If modifications are made in the future a Variance may be required.

A2) Residential Adjacency Standards

As no changes are proposed to the exterior of the buildings photographs were able to be substituted for architectural elevations. There is a portion of the development that is two stories and is greater than fifteen feet in height. This would not meet residential adjacency requirements. Exact measurements are not available as elevations are not necessary. No action is required at this time as changes are not proposed. Future modifications to the building may result in the need for a Variance.

A3) Parking and Traffic Standards

Pursuant to Title 19.10, the following Parking Standards apply to the subject proposal:

Uses	GFA	Required			Provided	
		Ratio	Parking		Parking	
			Regular	Handicap	Regular	Handicap
Industrial	9,100 SF	1/1,000 GFA	10	1	25	2

The site exceeds the parking requirements of Title 19.10.

A4) Landscape and Open Space Standards

Pursuant to Title 19.12, the following Landscape Standards apply to the subject proposal:

Standards	Required		Provided
	Ratio	Trees	
Parking Area	1 Tree/6 Spaces	5 Trees	Zero Trees
Buffer:			
• Min. Trees	1 Tree/20 Linear Feet (adjacent to residential)	25 Trees	23 Trees
	1 Tree/30 Linear Feet (adjacent to commercial)	2 Trees*	Zero Trees
Min. Zone Width	8 Feet		Zero Feet**

The applicant is providing less than the required number of trees in the perimeter and parking lot areas of the development. Additionally, the site effectively does not have a landscape buffer. The trees are located in small planters that are surrounded by pavement. There are several mature pine trees along the northern boundary of the site as shown in the photographs supplied by the applicant. A condition of approval shall be added to this application requiring a total of 32 trees located around the perimeter of the property.

* This total is less than typically would be required due to the unique size, shape, and location of this parcel.

** This project requires a Waiver of perimeter landscape buffer requirements. The standard for industrial development is eight feet. Currently, the applicant is not providing a landscape buffer. The trees are individually planted in an area cut out of the pavement. The applicant shall provide a landscape buffer four feet in width along the northern boundary of the site. This area shall include a minimum of 128, five gallon shrubs.

B) General Analysis and Discussion

- **Zoning**

The subject property is currently zoned R-1 (Single-Family Residential). The purpose of the R-1 (Single-Family Residential) District is to provide for the development of single-family detached dwellings in a suburban setting. The R-1 (Single-Family Residential) District is consistent with the policies of the Low Density Residential category of the General Plan.

The applicant has requested a Rezoning to a C-M (Commercial/Industrial) District. The C-M (Commercial/Industrial) District is a general commercial and restricted industrial district designed to provide for a variety of compatible business, warehouse, wholesale, office and limited industrial uses. This district is intended to be located away from areas of low and medium density residential development. The C-M (Commercial/Industrial) District is consistent with the Light Industry/Research category of the General Plan. As the proposed Rezoning (ZON-15031) is in compliance with the General Plan approval of the Rezoning request is recommended.

- **Site Plan**

The overall site plan does not contain changes from what currently exists on the site. The changes to the location are in the use and to the interior of the buildings to accommodate this use. Additional changes to the landscaping on the site are required by staff and are noted in the Landscape Plan section of the report.

- **Waivers**

A Waiver of perimeter landscape buffer with is required. The standard for industrial development is eight feet. Currently, the applicant is not providing a landscape buffer. The trees are individually planted in an area cut out of the pavement. The applicant shall provide a landscape buffer four feet in width along the northern boundary of the site. This area shall include a minimum of 128, five gallon shrubs. Staff is able to support this Waiver with the conditions listed in this report due to the narrow nature of the lot. The changes listed in the conditions are deemed an acceptable compromise to Code requirements.

- Landscape Plan

The location of trees is shown on the site plan and photographs of the existing trees were submitted. A conceptual landscape plan was not submitted as landscaping is existing. A conceptual landscape plan will be required prior to the issuance of a business license showing the requested added trees, landscape buffer, and shrubs.

- Elevation

Photographs of the building were submitted. The building is typical of a mini-storage facility. There is a two-story element where the residence was located. The remaining portion is a single-story with garage doors at uniform intervals. The building is painted white with a grey stripe and garage doors.

- Floor Plan

The floor plan calls for removing a number of the dividers from what was the mini-warehouse and creating larger rooms for manufacturing. The residence floor plan remains typical of a one bedroom apartment. It is noted that due to the change in use that no one shall be permitted to live at this location.

FINDINGS

In order to approve a Site Development Plan application, per Title 19.18.050 the Planning Commission and/or City Council must affirm the following:

1. **“The proposed development is compatible with adjacent development and development in the area;”**

The development is existing, the change in use is the primary issue. The site is directly adjacent to single-family residential development and the area is currently designated for light industrial use. The proposed use would assemble and fabricate PVC gazeboes and fencing. This includes the use of saws and routers. Additionally, the site would receive and send products. The hours of operation for the manufacturing facility are from 6 am to 6 pm. While this concentrates the activity on the site to daytime hours the new use will create more noise and traffic than the previous use as a mini-warehouse. Additionally, the business is currently operating on this site without the proper licenses. Due to the increase in the intensity of the site combined with the proximity of adjacent single-family residential property denial of this application is recommended.

2. **“The proposed development is consistent with the General Plan, Title 19, the Design Standards Manual, the Landscape, Wall and Buffer Standards, and other duly-adopted City Plans, policies and Standards;”**

The site is out of compliance with Title 19 landscape buffer width requirements and does not provide the required number of trees. A Waiver has been requested for landscape buffer width requirements. Conditions of approval have been added regarding the landscaping deficiencies. Additionally, the site does not meet the required minimum lot width and front yard setback requirements, but as the buildings are existing and no exterior changes are proposed a Variance is not required.

3. “Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic;”

Site access is a concern as ingress/egress is reliant upon another parcel that is under the same ownership as the subject property. Access is provided from Meade Avenue. There is little area to turn around and delivery trucks would have to drive in and back out onto the adjacent property to leave the site.

4. “Building and landscape materials are appropriate for the areas and for the City;”

The site is existing and exterior changes are not proposed. Building and landscape materials are appropriate for the area and the City of Las Vegas.

5. “Building elevations, design characteristics and other architectural and aesthetic features are not unsightly, undesirable or obnoxious in appearance; create an orderly and aesthetically pleasing environment; and are harmonious and compatible with development in the area;”

Building elevations and design characteristics are not unsightly or obnoxious and are compatible with surrounding development.

6. “Appropriate measures are taken to secure and protect the public health, safety and general welfare.”

The noise, additional traffic, and increase of the intensity of the use of the site could be potentially harmful to the general welfare of the residents in the vicinity.

PLANNING COMMISSION ACTION

The Planning Commission added conditions 13 and 19.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

11

ASSEMBLY DISTRICT 10

SENATE DISTRICT 3

NOTICES MAILED 552 by Planning Department

APPROVALS 0

PROTESTS 0